

FILED

APR 19 2022

CITY CLERK

AMENDED SPECIAL ORDINANCE  
SPECIAL ORDINANCE NO. 11, 2022

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled An Ordinance Adopting And Enacting a Code of Ordinances for the City of Terre Haute, Indiana; Establishing The Same; Providing For Repeal of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing a Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations.

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

**SECTION I.** That Chapter 10, of the Terre Haute City Code, known and referred to as The Comprehensive Zoning Ordinance of Terre Haute of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as 1000 South 7th<sup>h</sup> Street, Terre Haute, Vigo County, Indiana  
47807

Parcel No 84-06-27-160-001.000-002.

Be the same is, hereby established as an R-2 Two Family Residential District, together with all rights and privileges that may inure to said real estate and the owners thereof the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

The real estate shall be an R-2 Two Family Residential District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana, subject to the parking and setback variances approved by the Terre Haute Board of Zoning Appeals.

WHEREAS, Special Ordinance No. 11, 2022, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

**SECTION II.** WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, \_\_\_\_\_

  
Todd Nation

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Cheryl Loudermilk-President

ATTEST: \_\_\_\_\_

Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Duke Bennett, Mayor


ATTEST: \_\_\_\_\_

Michelle Edwards, City Clerk

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street,  
Terre Haute, IN 47807

I affirm, under the penalties  
for perjury, that I have taken  
responsible care to redact  
each social security number  
in this document, unless required  
by law.

  
David P. Friedrich

**AMENDED PETITION TO REZONE REAL ESTATE**

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA;

LADIES and GENTLEMEN:

The Petitioner, Highland Property Group, Inc., is the owner of the following described real estate in Vigo County, Indiana, to-wit:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as: 1000 South 7<sup>th</sup> Street, Terre Haute, Vigo County, Indiana 47807

Parcel No. 84-06-27-160-001.000-002

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above-described real estate is now zoned as R-1 Single Family Residential District.

The Petitioner would state the real estate was vacant, condemned and scheduled for demolition prior to its purchase by the Petitioner. The Petitioner intends to use the real estate as two residential units.

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as R-1 Single Family Residential District.

Your Petitioner would request the real estate described in this petition be zoned as an R-2 Two Family Residential District to allow for use as proposed by the Petitioner. The Petitioner would allege that the R-2 Two Family Residential District would not alter the general characteristics of this neighborhood.

Your Petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood and will include parking and interior setback variances approved by the Terre Haute Board of Zoning Appeals.

Wherefore, the Petitioner respectfully requests that the Area Plan Commission of Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance Amending the District Maps of Chapter 10, of the Terre Haute



City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate be zoned R-2 Two Family Residential District, entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

In witness whereof, this Petition has been duly executed this 16th day of April, 2022.

**PETITIONER:**

By: Thomas P. Smith  
Thomas Smith  
Manager  
Highland Property Group, LLC